

REMARKS

The Examiner has rejected claims 4 and 6 under 35 USC Section 103(a) as unpatentable over Frisbee in view of DePlazes and "Tractor Types."

Applicant has repeatedly argued that the references cited by the Examiner do not pivot their arms about an axis forward of the drive wheels. The Examiner continues to respond that the wheels not shown in Frisbee are drive wheels and that Frisbee's arms pivot in front of the wheels.

The Examiner now further points to "Tractor Types" to illustrate vehicles with tracks and/or forward and rear wheels.

Applicant does not argue whether tractors are known to have tracks and/or forward and rear wheels. The point is that, in all the tractors shown by the Examiner, the rear of the vehicle is supported by one or more wheels and the front of the vehicle is supported by one or more wheels, regardless of whether the wheels are tracked. In applicant's device, the wheels support the rear of the vehicle and the blade assembly is pivoted in front of the wheels and supports the front of the vehicle.

Claim 4 has been amended to accentuate that, in the present device, the drive wheels support the rear of the frame (ln.5-6) and the blade assembly supports the front of the frame (ln.12-14). The independent rotation of the arms allows the wheels to travel on uneven terrain or over obstacles while the blade assembly follows the floor contour (ln.8-10).

The prior art does not teach such a device.

Also enclosed for the Examiner's consideration is a two minute VHS illustrating the rear wheel and front blade assembly support of the vehicle and the ability of the vehicle to maintain the blade assembly against the front contour as the rear wheels encounter obstacles.

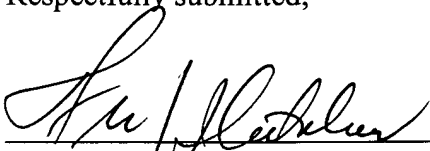
Appl. No. 10/027,460
Amdt dated 09/21/2004
Reply to Office Action of July 21, 2004

Applicant believes that claims 4 and 6 are allowable. All other claims having already been allowed, Notice of Allowance is respectfully requested.

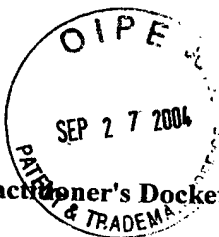
Please correct attorney's address which has been previously requested (copy attached).

It is understood there is no fee due at this time. However, should a fee deficiency have occurred, please charge Deposit Account No. 50-1971 per 37 C.F.R. § 1.25.

Respectfully submitted,

 9/21/04
Date

Frank J. Catalano
Registration No. 25,836
PTO Customer No. 07303
GABLE & GOTWALS
100 West 5th St., 10th Floor
Tulsa, OK 74103
Tel: (918) 595-4963
Fax: (918) 595-4990
E-mail: iplaw@gablelaw.com



Practitioner's Docket No. 2146.01C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rex D. Davidson
Serial No.: 10/027,460
For: Floor Scraping Machine for Floating Blade
Filed: 12/21/2001
Group No. 3673
Examiner: Singh, Sunil

COPY

Mail Stop AF

Commissioner for Patents, P. O. Box 1450
Alexandria, VA 22313-1450

CHANGE OF ATTORNEY'S ADDRESS IN APPLICATION

Please send all correspondence for this application as follows:

FRANK J. CATALANO
REG. NO. 25,836
GABLE & GOTWALS
100 West 5th St. 10th Floor
Tulsa, OK 74103
Fax: (918) 595-4990
E-mail: iplaw@gablelaw.com
Customer No. 07303

Please direct telephone calls to:

918-595-4963

Date: 8/19/03

Frank J. Catalano
Registration No. 25836
GABLE & GOTWALS
100 West 5th St. 10th Floor
Tulsa, OK 74103
Tel: (918) 595-4963
Fax: (918) 595-4990
Customer No. 07303

CERTIFICATE OF MAILING/TRANSMISSION 37 C.F.R. Section 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

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Date: 8/19/03

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Signature
FRANK J. CATALANO
(type or print name of person certifying)

(Change of Attorney's Address in Application--page 1 of 1)